

# Congress of the United States

Washington, DC 20510

September 27, 2018

The Honorable Michael R. Pompeo  
Secretary of State  
U.S. Department of State  
2201 C Street, NW  
Washington, DC 20520

Dear Secretary Pompeo:

We write to express our grave concern about Guatemalan President Jimmy Morales' recent efforts to undermine and shut down the United Nations-backed International Commission against Impunity in Guatemala (CICIG). The United States – as a global leader in promoting transparency, rule of law, and democratic institutions – must counter President Morales' efforts to unravel years of progress against anti-corruption in Guatemala.

President Morales' campaign against CICIG has escalated in recent months. Earlier this year, the Guatemalan government cut CICIG's security personnel in half, removing 25 police from CICIG's protection detail and leaving CICIG lawyers, investigators, and support staff increasingly vulnerable to attack by the Commission's opponents. On August 31, President Morales announced that he would not renew CICIG's mandate, which expires in September 2019. That same day, a convoy of U.S.-donated military vehicles operated by Guatemalan law enforcement was observed nearby CICIG and the U.S. Embassy in Guatemala City, ostensibly as a political message of intimidation and in contravention of the purposes for which the United States donated the vehicles. On September 4, President Morales declared CICIG Commissioner and lead prosecutor Iván Velásquez a threat to "public security," denying him re-entry into Guatemala. In our view, Commissioner Velásquez has carried out his responsibilities admirably and, as appropriate, in close consultation with the Guatemalan Attorney General. These events threaten the independence and effectiveness of CICIG, which has been the most effective example for anti-corruption, counter-trafficking, and accountability efforts in the region. While we were encouraged by the Guatemalan constitutional court's September 16 reversal of the entry ban, subsequent statements by high-ranking Guatemalan officials caused renewed uncertainty. Now that UN Secretary General Guterres has reaffirmed Mr. Velásquez as Commissioner, we believe the United States must play a stronger role in supporting CICIG.

We understand that on September 6, you spoke by phone with President Morales, affirmed the importance of combating corruption and impunity in Guatemala, and expressed commitment and cooperation in reforming CICIG for the coming year. While we appreciate your engagement and recognize the need for institutional reforms to increase oversight and transparency of CICIG, the apparent lack of discussion on CICIG's mandate expiration and Mr. Velásquez' expulsion raises serious concerns about the Administration's intentions. CICIG has enjoyed widespread bicameral and bipartisan support since its establishment in 2007, and United States support for CICIG is a core element of U.S. engagement with Guatemala. The Guatemalan people have

recognized CICIG as one of the most trusted institutions in Guatemala, with one recent poll concluding that 69 percent of the Guatemalan public views CICIG favorably. The long-term stability of Guatemala's institutions and democracy are inextricably linked to CICIG's autonomy and success.

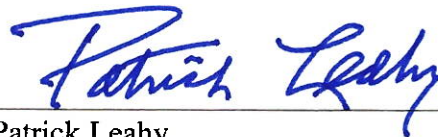
This Congress has substantively weighed in on the need for robust U.S. support for anti-corruption efforts in Guatemala. Section 1287 of the National Defense Authorization Act of 2019 requires the Secretary of State, in coordination with the Secretary of Defense, to provide Congress with a list of officials from Guatemala, Honduras, and El Salvador that may be subject to U.S. sanctions under the Global Magnitsky Human Rights Accountability Act (Public Law 114-328). Furthermore, Section 7045 (a)(3)(B)(vii) of the Consolidated Appropriations Act of 2018 (P.L. 115-141) conditions 50 percent of United States assistance to Guatemala until the State Department can certify that the government of Guatemala is "cooperating with commissions against corruption and impunity." We believe that President Morales' recent actions do not meet the congressional conditions required for assistance for the Guatemalan government, including security assistance. The incident regarding the convoy of U.S.-donated vehicles is of particular concern to us, and we request that you investigate the incident for any possible violations of United States security assistance laws or policies. Finally, we emphasize that the Global Magnitsky Act has equipped the State Department with the necessary tools to support CICIG's efforts, should the Guatemalan government fail to ensure accountability for significant acts of corruption.

President Morales' decision not to renew CICIG's mandate and to bar Mr. Velásquez' entry is a dangerous setback for anti-corruption, transparency, and accountability efforts in Guatemala. It is more important than ever that the United States demonstrate leadership and effective engagement with the Guatemalan government to reverse these decisions. We look forward to working with you to continue United States support for anti-corruption, rule of law, and accountability in Guatemala.

Sincerely,



Benjamin L. Cardin  
United States Senator



Patrick Leahy  
United States Senator



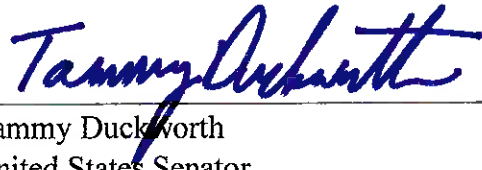
Richard J. Durbin  
United States Senator




Bernard Sanders  
United States Senator



Tim Kaine  
United States Senator



Tammy Duckworth  
United States Senator



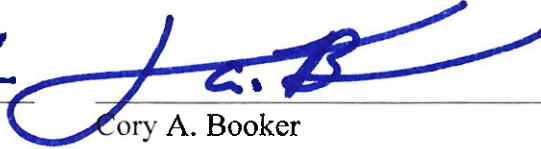
Jack Reed  
United States Senator



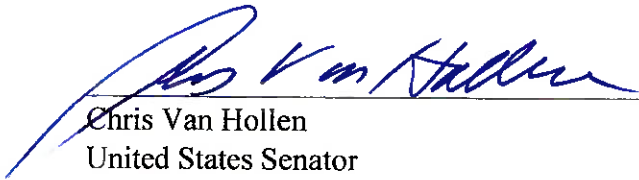
Edward J. Markey  
United States Senator



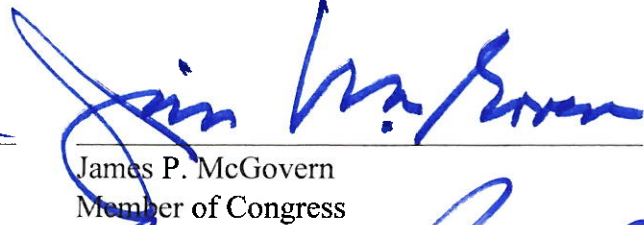
Kirsten Gillibrand  
United States Senator



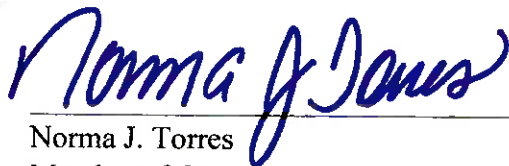
Cory A. Booker  
United States Senator



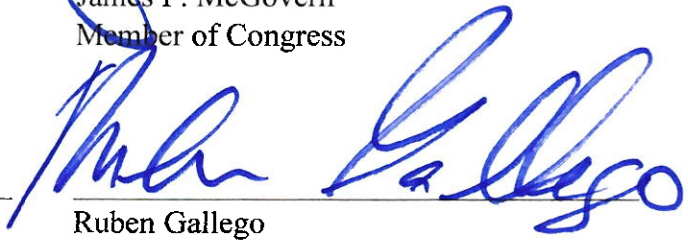
Chris Van Hollen  
United States Senator



James P. McGovern  
Member of Congress



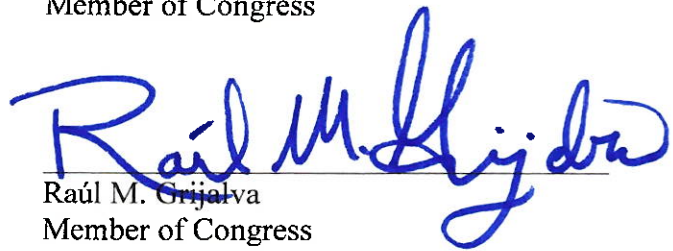
Norma J. Torres  
Member of Congress



Ruben Gallego  
Member of Congress



Mark Pocan  
Member of Congress



Raúl M. Grijalva  
Member of Congress

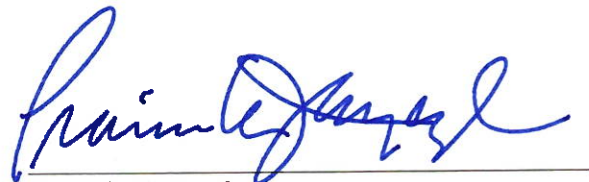



Ro Khanna  
Member of Congress



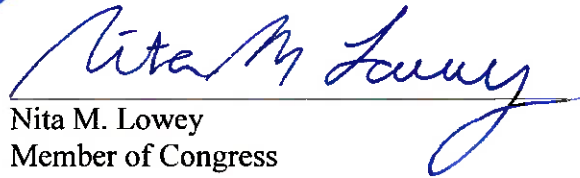
David N. Cicilline  
Member of Congress

  
Joaquin Castro  
Member of Congress

  
Pramila Jayapal  
Member of Congress

  
Jan Schakowsky  
Member of Congress

  
Henry C. "Hank" Johnson, Jr.  
Member of Congress

  
Nita M. Lowey  
Member of Congress